

### REMARKS

Reconsideration is respectfully requested.

1. In paragraph 1 of the Office Action, the Examiner acknowledged applicant's election without traverse of group I, claims 1-8, in the reply filed November 8, 2004. Applicant notes such action.

2-4. In paragraphs 2-4 of the Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. According to the Examiner, it is unclear, in claim 1, lines 28-30, what is intended by the phrase "in a position set be and angle accordingly." It is respectfully submitted that applicant's present amendments to claim 1 to change "be" to read "by" and "and" to read "an" overcome this rejection.

5-8. In the paragraphs numbered 5-8 of the Office Action, the Examiner rejected claims 1-8 under 35 U.S.C. § 103(a) as being unpatentable over Gambini (US Publication 2002/0040676) in view of Biagiotti (US Patent 5,242,525). According to the Examiner, the Gambini reference (also filed by applicant) discloses all of the elements of claim 1 except for the sloping sections, the timing rollers, the upper rollers or the steps involved with these structures. According to the Examiner, Biagiotti discloses the sloping sections (between rollers 13a and 62), upper rollers (at items 25 and 27) and a timed roller (at item 31) and that these structures properly position the log for terminal end bonding.

For the reasons explained below, applicant respectfully submits that the claims, as amended, are patentable over the Gambini and Biagiotti references.

As to Claim 1, it has been amended to further specify the location and use of the sloping sections (21 and 23 in applicant's figures) and the upper roller (25) in the present invention. No new matter was added. Support for the amendments is found in the original drawings and in the specification at least at page 8, lines 16-20 and page 9, line 12 to page 10, line 2. In light of the amendments, the Biagiotti sloping sections, upper rollers and timed roller clearly do not cure the defects in the Gambini reference.

The Biagiotti sloping sections (between rollers 13a and 62) referred to by the Examiner are located on either side of the glue distributor (58). *See, e.g.*, FIG. 4. In contrast, the sloping sections (21 and 23 in applicant's figures) claimed in the present invention are both upstream of the glue distributor device (27). In addition, the Biagiotti sloping sections merely serve to bring a log to and from the gluing device. In contrast, the sloping section (23) of the present invention, by virtue of its claimed pre-established length and position before the suction roller (24), acts to regulate and time the terminal edge 29 position and permits the unit to treat logs of various diameters. *See* page 9, lines 12-19.

In addition, neither of the Biagiotti rollers (25 and 27) referred to by the Examiner disclose the claimed upper roller (25) of the present invention. As claimed in amended claim 1, the upper roller of the present invention cooperates with the suction roller (24) so that the terminal edge (29) of a log is held so that the area under the edge may receive glue. *See* Figs. 3 and 4 and specification at page 8, lines 16-20. In contrast, neither of the Biagiotti rollers (25 and 27) cooperate with a suction roller to hold the terminal edge of a log in place so that glue can be applied to the exposed area of the roll. Further, Biagiotti roller 27 is downstream of the glue device.

Finally, the Biagiotti timed roller (31) referred to by the Examiner does not disclose the claimed timed roller (22) of the present invention. As claimed in amended claim 1, the timed roller of the present invention positions the log such that the free end of its terminal edge (29) is set at an angle ( $\alpha$ ) according to the diameter of the log so that the free end of the terminal edge (29) is positioned in the area in contact with the suction roller (24) when the log reaches said suction roller (24). Based on the foregoing, it is respectfully submitted that claim 1 is patentable over the references cited.

As to Claims 2-3, the Examiner stated that the apparatus of Gambini and Biagiotti is capable of performing the claimed operations. As fully explained above, Biagiotti does not disclose the timed roller (22) that is the subject of claim 2. Accordingly, claim 2 is patentable over the references. Likewise, claim 3 is patentable

over the references because Biagiotti does not disclose the upper roller (25) that is also the subject of claim 3.

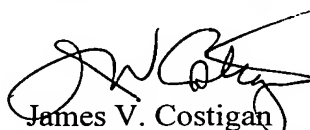
As to claim 4, the Examiner states it would have been obvious to one of ordinary skill in the art to have utilized multiple belts in order to position operations of the invention. Applicant respectfully submits that since claim 4 depends from claim 1, which for the reasons explained above is patentable, claim 4 is also patentable.

Claim 5 was rejected by reference to the grounds for the rejection of claim 1. Applicant has amended claim 5 to further clarify the location and use of the sloping surface (21, 23) and the upper roller (25). No new matter was added by these amendments. Support for the amendments is found in the original drawings and in the specification at least at page 8, lines 16-20 and page 9, line 12 to page 10, line 2. In light of the amendments, and for the reasons explained with regard to claim 1, Biagiotti does not cure the defects in the Gambini reference. Accordingly, claim 5 and claims 6-8, which depend from it, are patentable.

Lastly, the Examiner rejected claim 8 based on the view that it would have been obvious to one of ordinary skill in the art to have utilized multiple belts in order to position operations of the invention. Applicant respectfully submits that since claim 8 depends from independent claims 1 and 5, which for the reasons explained above are patentable, claim 8 is also patentable.

An early and favorable action is earnestly solicited.

Respectfully Submitted



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